

U.S. Department of Labor

JUL 12 2005

Assistant Secretary for
Employment and Training
Washington, D.C. 20210



The Honorable Don Carcieri
Governor of Rhode Island
State House
Providence, Rhode Island 02903-1196

Dear Governor Carcieri:

It is with pleasure that I respond to the State of Rhode Island's request for waivers of statutory and regulatory requirements under the Workforce Investment Act (WIA). This action is taken under the Secretary's authority to waive certain requirements of WIA Title I, subtitles B and E and Sections 8-10 of the Wagner-Peyser Act. In the Strategic State Plan for Title I of the Workforce Investment Act and the Wagner-Peyser Act for the two-year period, July 1, 2005, through June 30, 2007, the state submitted four waiver requests. The requests are written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c), and appear to meet the standard for approval at 20 CFR 661.420(e). The following is the disposition of the state's waiver submission (copy enclosed).

Requested Waiver 1: Waiver to use Individual Training Accounts (ITAs) for youth participants.

The state indicates that a waiver would allow flexibility in using youth funds to provide training services to youth while retaining limited adult funds to be used on adult training services. Accordingly, the state is granted an extension of the waiver of the prohibition on the use of ITAs for older and out-of-school youth at 20 CFR 664.510 through June 30, 2007. The state should ensure that funds used for ITAs are tracked and reflected in the individual service strategies for these youth.

Requested Waiver 2: Waiver to extend the period of initial eligibility for training providers on the state's Eligible Training Provider List.

The state reports difficulties with the collection of training provider performance data, particularly the "all student" information. Without a waiver, the state indicates that the Eligible Provider Training List would be diminished, leaving little customer choice. Accordingly, the State of Rhode Island is granted a waiver through June 30, 2007. Under this waiver, the state will be able to provide an opportunity for training providers to re-enroll and be considered enrolled as initially eligible providers.

Requested Waiver 3: Waiver of the state workforce investment board membership requirements at WIA Section 111(b) to permit reconfiguration of the state board.

The state wishes to streamline its current board and reconfigure the membership to comply with a state law and the state's recently amended constitution, without having to create a separate and duplicative board. The proposed state board includes: 1) nine members appointed by the Governor from the employer community, in a manner that is representative of employers of different sizes and sectors, including the nonprofit sector; 2) four members from organized labor appointed by the Governor; 3) two members from community-based organizations appointed by the Governor; and 4) two members of state agencies—a representative of the post-secondary education system and a representative of the Rhode Island Department of Labor and Training, which are the lead state agencies responsible for the implementation of state workforce development policy. The board chair will be appointed from one of the nine employer representatives. Accordingly, the state is granted a waiver of the state board membership requirements at WIA Section 111(b), which allows the state to streamline its board as outlined in this request, through June 30, 2007. The waiver will not impact the requirement for a business majority or the requirement for a business chairperson, described in WIA Sections 111(b)(3) and 111(c), respectively.

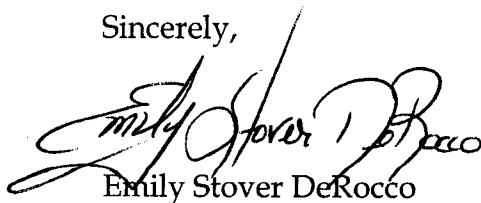
Requested Waiver 4: Waiver of the required 50 percent employer match for customized training at WIA Section 101(8)(C) to permit a match based on a sliding scale.

The state indicates that a waiver permitting a sliding scale will improve services to customers seeking training and will improve the capacity of local boards to market demand-driven services and build beneficial relations with the private sector. Accordingly, the state is granted the waiver as requested, through June 30, 2007.

As provided for under paragraph 3 of the executed Agreement, the approved waivers are incorporated by reference into the state's WIA Grant Agreement. A copy of this letter should be filed with the state's WIA Grant Agreement and the state's Strategic Plan, as appropriate.

We look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local level waiver requests that you may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,



Emily Stover DeRocco

Enclosure